



MINUTES

**REGULAR CALLED MEETING OF THE
COMMUNITY DEVELOPMENT (Type B) CORPORATION
Tuesday, July 12, 2016 at 6:30 PM
Cedar Park City Hall Council Chambers
450 Cypress Creek Road, Building Four, Cedar Park, Texas 78613**

BOARD OF DIRECTORS

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|--|--|
| <input checked="" type="checkbox"/> Kaden Norton, Place 1 | <input checked="" type="checkbox"/> David Burger, Place 2, President |
| <input checked="" type="checkbox"/> Brian Rice, Place 5 | <input checked="" type="checkbox"/> Bob Lemon, Place 4 (V. P.) |
| <input checked="" type="checkbox"/> Dustin Weibel, Place 3 (Sect.) | <input checked="" type="checkbox"/> Ryan Wood, Place 6 |
| | <input checked="" type="checkbox"/> Mel Kirkland, Place 7 |

- A.1 **CALL TO ORDER, QUORUM DETERMINED, MEETING DECLARED OPEN**
President Burger called the meeting to order at 6:30 PM.

- A.2 Citizen Communications
(Not For Items Listed On This Agenda. Three Minutes Each. No Deliberations With 4B. The Board May Respond With Factual Information.)

- A.3 Board Members' Opening Comments.
President Burger welcomed everyone and thanked staff for their work in preparation of the Board Meetings. Director Rice said his nieces and nephews loved going to Milburn Park last weekend and thanked Parks staff for all of their hard work.

- A.4 Presentations
No items scheduled.

STAFF REPORTS (DISCUSSION ONLY)

- B.1 Quarterly Report On Revenues, Expenditures, And Fund Balance. (Kent Meredith, Finance Director, Chad Tustison, Assistant Finance Director)
Kent Meredith, Director of Finance, provided the Board with an overview of the Board's current finances. He explained that currently the Board has collected \$3,886,190 in sales tax revenue, which is 9.9% higher than projections and 7% higher than at this point in FY15. He provided the Board with an update on sales tax revenues by business type, showing that the largest sales tax

revenue category is from general merchandise stores, followed by restaurants and bars. Fund balance at September 30, 2015 was \$11,052,579 and the projected year-end fund balance for FY16 is \$11,342,925 with debt service liability of \$2,795,000. Staff plans to work with Council this Fall to update the City's financial policies to include recommended fund balances for all City funds.

- B.2 Preview Of 2016-2017 Projected Revenues, Expenditures and Fund Balance. (Kent Meredith, Finance Director, Chad Tustison, Assistant Finance Director)

Chad Tustison, Assistant Director of Finance, provided the Board with the FY16-17 preview of projected revenues, expenditures and fund balance. Sales tax revenues are proposed at \$6,162,358 with a total proposed budget of \$6,316,703. This would include \$2,500,000 for economic development projects, \$100,000 for corridor enhancements, \$550,00 for Parks projects, \$1,725,000 for Transportation projects, \$737,580 for debt service, and \$704,123 for administrative and contract related expenses.

Vice President Lemon asked staff about the methodology for sales tax projections. Staff explained that it was determined based on current year revenue projections plus additional amounts factored in for new developments scheduled to open in the upcoming fiscal year.

Director Wood asked if the \$2,500,000 allocated for economic development includes previously approved economic development payouts that will be due in FY17.

President Burger said he would like to see a document with new and previously approved payouts separated. Several Board members indicated that their intent was for the full \$2,500,00 to be for new economic development projects. The Board requests that staff provide them with information showing old agreements coming due and from where that payment will come.

Secretary Weibel asked to see at a future meeting how much is being paid toward interest and principle as the Board may wish to pay off current debt.

CONSENT AGENDA

(Pursuant To Community Development Board Rule, the Consent Agenda consists of all items set forth on Agenda Items C.1, C.2, C.3, C.4, C.5 and C.6. The Consent Agenda May Be Approved By A Single Motion.)

- C.1 Approval Of The Minutes Of The June 14, 2016 Regular Called Meeting.
- C.2 Approval Of The Minutes Of The June 22, 2016 Special Called Meeting.
- C.3 Authorization To Excuse The Absence Of David Burger From The Regular Called Meeting Of May 10, 2016.
- C.4 Authorization To Excuse The Absence Of Brian Rice From The Regular Called Meeting Of May 10, 2016.
- C.5 Authorization To Excuse The Absence Of Dustin Weibel From The Regular Called Meeting Of May 10, 2016.

- C.6 Authorization To Excuse The Absence Of Kaden Norton From The Special Called Meeting Of June 22, 2016.

Vice President Lemon asked for minutes be amended to reflect his title as Vice President. Director Rice moved to approve the consent agenda with Vice President Lemon's requested revisions. Director Kirkland seconded the motion and it passed with a 7-0 vote.

PUBLIC HEARINGS

- D.1 No Items Scheduled

REGULAR AGENDA

DISCUSSION AND POSSIBLE ACTION

- E.1 Consider Applications For Proposed Projects/Programs Submitted For Fiscal Year 2016-2017 Community Development Corporation Funding Consideration.

a. Economic Development - Phil Brewer

- 1) Consider A Proposal For Funding For Potential Economic Development Incentive Projects In An Amount Not To Exceed \$2,500,000.

Vice President Lemon asked how the \$2,500,000 was determined. Staff explained that that number was recommended by the Economic Development Director.

Vice President Lemon expressed his desire to see the fund balance spent down.

b. Community Enhancements

Community Development – Duane Smith

- 1) Consider A Project Proposal For Funding The Corridor Enhancement Program In An Amount Not To Exceed \$100,000.

Director Wood asked why this item was reduced from last year. Staff explained this was reduced due to the fact that there are no currently pending applications and the known projects on the horizon are sign removal only, and therefore less expensive projects.

Parks Department – Curt Randa

- 2) Consider A Project Proposal For Funding Of A Trail Lighting Project At Various Locations In An Amount Not To Exceed \$50,000.
3) Consider A Project Proposal To Fund Various Park Improvements At Veterans Memorial Park In An Amount Not To Exceed \$500,000.

Curt Randa, Director of Parks and Recreation was available to answer questions on Parks projects. No questions from the Board.

Engineering And Transportation – Darwin Marchell/Tom Gdala

- 4) Consider A Project Proposal For The Design And Construction Of Dedicated Right Turn Lanes On Lakeline Boulevard at West Park Street, Treeline Drive, and New Hope Drive And Extend The Existing Left Turn Lane On Lakeline Boulevard at New Hope Drive In An Amount Not To Exceed \$700,000.
5) Consider A Project Proposal To Design And Construct Right Turn Lanes On Westbound Whitestone Boulevard At Walton Way And Two Entrances To The Railyard Shopping Center In An Amount Not To Exceed \$700,000.

- 6) Consider A Project Proposal For The Design, Construction, And Installation Of A Traffic Signal At The Intersection Of Liberty Oaks Boulevard And Cypress Creek Road In An Amount Not To Exceed \$325,000.

Engineering Department staff member, Tom Gdala, reviewed the previously proposed projects the board heard at their last regular meeting. He reminded the Board that there was previous discussion with regard to turn lanes at The Railyard. He said that TXDOT agreed with the Board's sentiment that it would be best to focus on public intersections for right turn lanes. As a result, staff is instead recommending a new right turn lane eastbound at Discovery Boulevard. The Board also expressed at the last meeting an interest in a right turn lane at Cypress Creek and Library Oaks in addition to the traffic signal. Staff indicated that there are issues related to the right-of-way for a turn lane. He asked the Board to support the current project without the turn lane, and staff can continue to look into the turn lane project and return to the Board in a future year.

Vice President Lemon asked that staff be sure that no work would need to be redone if a right turn lane is added at a later date to that intersection.

Secretary Weibel asked for clarification that the proposed intersection improvements will include a turn signal to assist resident turning left on Cypress creek off of Liberty Oaks. Staff confirmed that it will.

c. Community Identification

No Projects Or Items Submitted For Consideration Under This Category.

Vice President Lemon asked if the Internally Lit Street Sign project is completed. Staff indicated that that project is completed and that staff is currently working on regular street sign updates. At this time, they but do not need any Board funds.

d. Destination City

No Projects Or Items Submitted For Consideration Under This Category

- E.2 Consider Board Allocation Of FY 2016-2017 Revenues, Expenditures, Fund Balance And Budget Recommendations For City Council Consideration.

This item was tabled till after executive session. After executive session, Director Lemon moved to table item E2 until a future meeting. Director Kirkland seconded the motion and it passed with a 6-0 vote.

F.0

EXECUTIVE SESSION

In accordance with Chapter 551, Government Code, Vernon's Texas Code Annotated (V.T.C.A.) (Open Meetings Law), "The Community Development (Type B) Corporation Board may meet in a Closed Executive Meeting pursuant to provisions of the Open Meetings Law, Chapter 551, Government Code, V.T.C.A. in accordance with the authority contained in the following sections":

- F.1 Section § 551.071 (2) Consultation With Attorney Regarding Matters In Which The Duty Of The Attorney To The Governmental Body Under The Texas Disciplinary Rules Of Professional Conduct Of The State Bar Of Texas Clearly Conflict With This Chapter, and Section § 551.072 Deliberation Of The Purchase, Exchange, Lease, Or Value Of Real Property

- a. Legal Issues Concerning Implementation And Development Related To The Bell Boulevard Redevelopment Plan.

The Board recessed into Executive session at: 7:23. Director Rice recused himself and left the meeting.

The Community Development Corporation (Type B) Board reconvenes into Open Session.

Open Meeting

The Board reconvened into an open meeting at: 8:30 P.M. No action was taken on items from the executive session.

ADMINISTRATIVE ITEMS

(Board members and staff may discuss items related to the board member's general duties and responsibilities. The Board may not take a vote or other action on any item other than to obtain a consensus regarding how items are to be placed on future agendas for formal action.)

- G.1 Report on Council Actions Directly Related to Board Items Of June 14, 2016, City Council Meeting.
None.
- G.2 Board Member Closing Comments.
Director Wood commented on the smooth budget process and thanked staff. President Burger said he is glad the Board members come with an agenda.

Next Regular Scheduled Board Meeting Tuesday, August 9, 2016 At 6:30 P.M. In The Cedar Park Council Chambers At 450 Cypress Creek Road, Building Four.

- H.1 **ADJOURNMENT**
The meeting adjourned at 8:35 PM.

PASSED AND APPROVED THIS THE 9th DAY OF AUGUST, 2016.



David Burger, President

ATTEST:



Dustin Weibel, Secretary

AFFIDAVIT OF RECUSAL

THE STATE OF TEXAS §
COUNTY OF WILLIAMSON §

I, **Brian D. Rice** as a member of the **Cedar Park Community Development (Type B) Corporation Board of Directors** make this affidavit and hereby on oath state the following:

I have, or a person related to me in the first degree by consanguinity or affinity has, a substantial interest that may receive a special economic effect that is distinguishable from the effect on the public by a vote or decision of the (city council/board/commission) as those terms are defined in Chapter 171 of the Local Government Code. The business entity or real property is:

[Name and Address of Business or Description of Property or Agenda Item(s) and Date]

["I" or name of relative and relationship]

(have/has) a substantial interest in this business entity or real property for the following reasons (circle all which are applicable):

1. the interest is ownership of 10%, or more of the voting or shares of the business entity or owns either 10% or more or \$15,000 or more of the fair market value of the business entity;
2. funds received from the business entity exceed 10% of _____ (my/her/his) gross income for the previous year;
3. real property is involved and _____ (I/he/she) (have/has) an equitable or legal ownership with a fair market value of \$2,500 or more.

Signed this _____ day of _____, 20____.

Signature of Elected or Appointed Public Official

Title

BEFORE ME, the undersigned authority, this day personally appeared _____
(name of affiant) and by oath stated that he facts hereinabove state are true and correct to the best of (his/her) knowledge or belief. Sworn to and subscribed before me on this _____ day of _____, 20____.

Notary Public, State of Texas

****OR****

STATEMENT OF RECUSAL

In accordance with Section 11.09(a) of the City Charter which requires recusal if an elected or appointed officer of the City acts in any way which places or tends to place personal interest in conflict with the interest of the City, I state that I have such conflict and I hereby recuse myself from any discussions or voting involving Agenda Item **F.0, F.1** on the Community Development (Type B) Corporation Agenda dated **July 12, 2016**.

Witness

Signature of Elected or Appointed Public Official

Date

